

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**DOMENIC COIA**

**Petitioner,**

**v.**

**MICHAEL ZAKEN, et al.**

**Respondents.**

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**CIVIL ACTION**

**NO. 22-1986**

**ORDER**

**AND NOW**, this 12<sup>th</sup> day of September, 2023, upon consideration of the Petition for Writ of Habeas Corpus (Doc. No. 1), Respondents' Response in Opposition (Doc. No. 10), Peitioner's Reply Brief (Doc. Nos. 11 & 12), the August 10, 2023 Report and Recommendation of United States Magistrate Judge Pamela A. Carolos, to which there are no objections by Petitioner, and after a thorough and independent review of the record, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **DISMISSED WITHOUT PREJUDICE** to allow Petitioner the opportunity to exhaust his state court remedies.
3. There is no probable cause to issue a certificate of appealability.
4. The Clerk of Court shall mark this case **CLOSED**.

**BY THE COURT:**

/s/ Mitchell S. Goldberg  
**MITCHELL S. GOLDBERG, J.**